



# The Town of Fenwick Island

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## **REGULAR MEETING OF THE TOWN COUNCIL DECEMBER 4, 2020 MEETING HELD VIA TELECONFERENCE**

### **MINUTES**

#### **In Attendance**

##### Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Houser, Council Member Weistling

##### Staff in Attendance:

Town Manager Tieman, Police Chief Devlin, Building Official Schuchman, Finance Manager Gary, Public Works Manager Locke, Town Clerk Menominee

##### Others in Attendance:

Along with the Town Council and Staff, there were an additional 17 participants that called in to the meeting.

Mayor Langan began the meeting at 3:30 PM.

#### **President's Report**

Mayor Langan reported that there are new COVID-19 restrictions being handed down from Governor Carney including mandatory mask wearing indoors. He reported the year-to-date numbers for total cases of COVID in Delaware are 37,000 cases, while 10,000 of those cases are reported in Sussex County. There have been 779 deaths and currently, there are 277 people in the ICU in Sussex County.

Mayor Langan also reported that his term as ACT Chairman comes to an end on January 1<sup>st</sup>. He said that two important things happened during his term as President; the services of lobbyist Lincoln Willis were retained and the coastal towns survived the first round of COVID.

Next, Mayor Langan expressed his condolences for two deaths in the community, the sister of Vice Mayor Mais, Jean Ann Kimble and Betsy Henifin.

Mayor Langan acknowledged the fact that Town Council was not taking public comments during the December meeting since this was the first virtual Zoom Town Council meeting. He said that public participation would be reevaluated for the January meeting. He also acknowledged that the pending lawsuit against the Town also prevents Council from speaking on issues.

#### **For Discussion and Possible Action**

##### Extension of COVID-19 Policy

Town Manager Tieman stated the Town's COVID-19 Policy expires December 31, 2020. She recommended extending the policy to May 31, 2021.

A MOTION was made by Council Member Carmean, seconded by Council Member Houser to extend the COVID-19 Policy. The MOTION passed unanimously.

##### Amendment of previously adopted minutes of 9/25/2020 Council Meeting

Town Manager Tieman recommended amending the previously adopted minutes from the September 25<sup>th</sup> meeting. She stated that Secretary Merritt wanted to make sure the minutes were revised correctly once changes were approved from the October 23<sup>rd</sup> meeting. Town Clerk Menominee went back and listened to the audio as

the previous Town Clerk that had drafted the minutes had resigned. Town Manager Tieman believes that what is currently presented is a more accurate account of what transpired during the meeting.

Secretary Merritt included that he asked Town Clerk Menominee to look and he personally listened to the audio and he now believes what is included in the minutes now is a clearer reflection of what occurred.

Mayor Langan proposed that if there is an amendment to the minutes then they must be double checked with the audio before the change is voted on.

Council Member Carmean voiced her opposition in changing the minutes. She said that the previous minutes were amended and approved in the way that it has always been done. Council Member Carmean questioned the intent on changing the minutes and stated that the additional information provided from the September meeting changed the whole context. She asked that the recordings from the September and October meetings be preserved and protected. Council Member Carmean stated that she has spoken up, sent emails, and talked directly to Council about changing some of their decisions.

A MOTION was made by Treasurer Bunting, seconded by Council Member Houser to amend the previously adopted minutes of September 25, 2020 Council Meeting. The MOTION passed 6-1, with Council Member Carmean opposed.

#### **Approval of Minutes**

A MOTION was made by Council Member Carmean, seconded by Secretary Merritt to accept the minutes from the October 23, 2020 Regular Council Meeting. The MOTION passed unanimously.

#### **Treasurer's Report**

Treasurer Bunting presented the report for period ending October 31, 2020. He noted that the October report looked good and that we will not have the November report available until the January meeting. He stated that the RTT for October was \$48,825 which puts the account at 162.65% of what was budgeted for the entire year.

Treasurer Bunting also stated that the Town would have the Auditors report for the January meeting. He remarked that the Auditors were impressed how the Town has handled and incorporated their suggestions from last year. Treasurer Bunting noted that the Auditor will be present at the January Regular Town Council meeting.

A MOTION was made by Council Member Carmean, seconded by Vice Mayor Mais to accept the Treasurer's Report. The MOTION passed unanimously.

#### **Town Manager's Report**

Town Manager Tieman submitted her report. She stated that Council Member Weistling and Secretary Merritt have been asking her for the amount of the legal fees. Currently, for this fiscal year the Town has accrued \$6,675.00 for the hotel lawsuit; \$5,443.43 for citizen complaints and FOIA complaints/lawsuit; Our Harvest issues are \$1,197.98 total.

Town Manager Tieman also reported that the new server has been replaced and is working fine. Beach Service has been awarded to Steen's and the contracts have been completed and signed. She also reported that the Royal Farms sidewalk has been satisfactorily completed.

Town Manager Tieman stated that the Fenwick Freeze has been officially cancelled for 2021 due to COVID-19.

## **Department Reports**

### **Building**

Building Official Schuchman submitted her report.

### **Public Works**

Public Works Manager Locke submitted his report

### **Police Department**

Chief Devlin submitted his report. He stated that while COVID surges, the police department is still in regular enforcement being safe and wearing masks. Chief Devlin said that the Pottery Place asked if they could show some appreciation for law enforcement and first responders. A 4-hour function was held in coordination with 98.1 and \$1,000 was raised for FIPD, Fire Companies and OCPD. He also reported that Officer Story connected with Walmart and received women's makeup to which they were able to donate and link with local shelters. Chief Devlin lastly reported the U-Turn sign is doing fine, the police are still erring on the side of warning, instead of being heavy handed with ticketing.

## **Committee Reports**

### **Charter & Ordinance**

Council Member Weistling reported that C/O Meetings are on hold and they might be looking to go virtual in terms of the next meeting.

### **Old Business**

None.

### **New Business**

None.

## **Upcoming Events and Meetings**

Town Hall will be closed December 24<sup>th</sup>-25<sup>th</sup> due to Christmas and December 31<sup>st</sup>-January 1<sup>st</sup> due to New Years. Next Town Council Meeting will be held January 22, 2021.

## **Adjournment**

A MOTION was made by Vice Mayor Mais, seconded by Council Member Weistling to adjourn the meeting. The MOTION passed unanimously and the meeting adjourned at 4:01PM.